GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION BOARD

IN THE MATTER OF:

CHING, LLC t/a So Mi 1425 Wisconsin Avenue NW

Ret. Class CR

License No. N/A ANC 2E

Fact Finding
Hearing
[New
Application]

Thursday,
May 15, 2014

Hearing Room 7100 941 North Capitol Street, N.E. Washington, D.C. 20002

The above-entitled matter convened at 5:00 p.m., before the District of Columbia Alcoholic Beverage Regulation Administration Board.

BEFORE:

RUTHANNE MILLER, Chairperson DONALD BROOKS, Member NICK ALBERTI, Member HECTOR RODRIGUEZ, Member MIKE SILVERSTEIN, Member JAMES SHORT, Member

	Page 2
1	PROCEEDINGS
2	[4:59 p.m.]
3	CHAIRPERSON MILLER: This is the
4	case, fact finding hearing for Ching, LLC,
5	trading as So Me, located at 1425 Wisconsin
6	Avenue, NW, License Number you don't have
7	one yet. Okay, and ANC 2B is this is a new
8	application.
9	And when you're ready, you can
10	introduce yourselves for the record.
11	MR. KLINE: Yes, good afternoon
12	and evening, I'm Andrew Kline on behalf of the
13	Applicant.
14	MS. TRONG: And my name is Cammy
15	Trong.
16	MR. MORI: And my name is Munehizo
17	Mori.
18	CHAIRPERSON MILLER: And so it's
19	Cammy Trong, right?
20	MS. TRONG: Yes, I'm the sole
21	owner of the company. And this is Mr. Mori,
22	he's the chief.

Page 3 1 CHAIRPERSON MILLER: Oh, okay. MS. TRONG: So I just figure we'd 2 3 bring the executive chef. CHAIRPERSON MILLER: He's the chef 4 once you get the license is that correct? 5 MS. TRONG: Um-hum. 6 CHAIRPERSON MILLER: 7 Okay, all right. Did you say for both licenses? 8 9 MS. TRONG: Oh, I'm sorry. I'm 10 building another restaurant, it's named Ching, 11 LLC and it's located at 639 Florida and it's due to open in June 26, and so we're in the 12 13 process of that. And then I know the second 14 location we're hoping. CHAIRPERSON MILLER: 15 Okay. 16 MR. KLINE: And for the record, 17 since we're jumping right into it, there is an ABC application that's been approved with 18 respect to the location on Florida Avenue. 19 20 Since Ms. Trong is already getting into this 21 business, and she also, we have with us today 22 a business plan reflecting what she intends to

	Page 4
1	do at this location.
2	I do note that there is much
3	proprietary business information in this plan
4	including projection and all sorts of things,
5	so I don't want to introduce it and leave it
6	as part of the public record, but we're happy
7	to have the Board peruse it, so the Board can
8	satisfy itself.
9	CHAIRPERSON MILLER: Okay.
10	MR. KLINE: But this is a
11	legitimate concept and she has legitimate
12	plans to open a restaurant.
13	CHAIRPERSON MILLER: Okay.
14	MR. KLINE: So if I may make that
15	available.
16	CHAIRPERSON MILLER: Sure. Mr.
17	Rosale is coming right up behind you.
18	MR. KLINE: Just take my copy, but
19	that's fine, I don't need it.
20	CHAIRPERSON MILLER: Oh no, you
21	don't?
22	MR. KLINE: I'd rather have them

	Page 5
1	see it then I've seen it.
2	CHAIRPERSON MILLER: Before we get
3	in to this, I just want to know are these your
4	first restaurants, or what?
5	MS. TRONG: In experience, no
6	ma'am, it's not my first. My first one was
7	back in 2001 and it was called Havana Breeze.
8	So it was located at 1400 block of K Street.
9	MEMBER SILVERSTEIN: Ms. Trong,
10	please speak up a little.
11	MS. TRONG: It was located on the
12	1400 block of K. It was called Havana Breeze
13	in 2001.
14	MR. KLINE: Havana Breeze.
15	MS. TRONG: Havana Breeze.
16	CHAIRPERSON MILLER: Is that still
17	operating or no?
18	MS. TRONG: It was sold and then
19	closed in 2002, 2003.
20	CHAIRPERSON MILLER: Okay.
21	MR. KLINE: Just if I may give a
22	little bit of background on Ms. Trong because

Page 6 1 she's probably too modest to do so. CHAIRPERSON MILLER: That would be 2 3 great, okay. MR. KLINE: But she's the 4 consummate American success story, 5 entrepreneur. She's been in the day spa 6 business for a number of years, actually at 7 this location. And has the lease at this 8 9 location for a day spa. As rents are rising 10 and everything else, she's looking for 11 something different. So the idea was that she would 12 13 develop this space into a restaurant. She may 14 move the day spa to the second floor, is that what you're doing? 15 16 MS. TRONG: Yes. 17 MR. KLINE: To the second floor so that she would maintain that business. 18 she's been running businesses for over 20 19 20 years. 21 MS. TRONG: Yes. 22 MR. KLINE: For 20 years she's

	Page 7
1	been running businesses. And is there's no
2	other way to describe her other than as an
3	entrepreneur. I mean she knows how to run
4	businesses and could probably sell widgets if
5	that were necessary.
6	CHAIRPERSON MILLER: Okay, good.
7	Do other Board members have specific questions
8	now, or do you want to hear about the business
9	plan first?
LO	MEMBER ALBERTI: I guess I can ask
L1	questions now?
L2	CHAIRPERSON MILLER: Yes, sure.
L3	MEMBER ALBERTI: So you previously
L 4	owned Havana Breeze.
L5	MS. TRONG: Yes.
L6	MEMBER ALBERTI: On K Street?
L7	MS. TRONG: Well it was a
L8	gentleman, his name was Albert I can't
L9	remember his last name. Albert Diaz. He
20	owned that restaurant and then I was going
21	through some hard time and he let me invest in
22	it and take it over and just try to keep

	Page 9
1	Coast.
2	MEMBER ALBERTI: Okay. And now
3	you just recently had a license approved for
4	639 Florida Avenue, is that correct?
5	MS. TRONG: Yes sir.
6	MEMBER ALBERTI: And do we have a
7	trade name for that?
8	MS. TRONG: It's Ching, LLC.
9	MEMBER ALBERTI: Um-hum. Do you
10	have a name for the restaurant.
11	MS. TRONG: Oh, the name, we're
12	going to trade under, it's going to be called
13	ICHING.
14	MEMBER ALBERTI: Okay, thanks.
15	MS. TRONG: Yes, doing business as
16	IChing, sorry. It's a little confusing.
17	MEMBER ALBERTI: Okay.
18	MS. TRONG: But yes, it was a
19	vacant building for a long time and we took it
20	over and just renovated it, so.
21	MEMBER ALBERTI: Okay, and you
22	said something about opening in June?

	Page 10
1	MS. TRONG: Yes, June 26.
2	MEMBER ALBERTI: So you the
3	build out's complete. Is it furnished? I
4	mean where are you at with that?
5	MS. TRONG: We are drywall and
6	tile's coming soon. We're in the process. So
7	a week after we'll probably furniture and
8	stuff. And just getting there.
9	MEMBER ALBERTI: Okay, so
10	MS. TRONG: But I have some
11	pictures of the renovations.
12	MEMBER ALBERTI: So when in June
13	are you
14	MS. TRONG: I'm sorry?
15	MEMBER ALBERTI: When in June are
16	you potentially open?
17	MS. TRONG: June 26.
18	MEMBER ALBERTI: Okay, so the end
19	of June. So then you have how will the
20	transition work for you with the your
21	current business there at this place. When
22	would you when I'm trying to get a time

	Page 11
1	line so when would you consider when would
2	you start closing down the current business
3	and transition to the restaurant at in
4	Georgetown?
5	MS. TRONG: Well it's a lot of
6	planning. First I have to move upstairs. I
7	used to be upstairs for seven years and then
8	I moved downstairs. So I'm familiar with the
9	building itself.
10	So if this were to be approved, I
11	would say about six months we're moving
12	upstairs and getting all the rooms ready. And
13	then trying to get downstairs and getting an
14	architecture, those things take three or six
15	months.
16	MEMBER ALBERTI: Right, so you
17	would move the spa business upstairs?
18	MS. TRONG: Upstairs, yes. I used
19	to be upstairs.
20	MEMBER ALBERTI: Okay. So this
21	business would occupy the first floor?
22	MS. TRONG: Yes.

	Page 12
1	MEMBER ALBERTI: How large? How
2	many seats? Did I see 40 seats?
3	MS. TRONG: 40 seats, yes.
4	MEMBER ALBERTI: I see, did I
5	or did I misread that?
6	MR. KLINE: 58 seats, total
7	occupancy of 99 is what's projected.
8	MEMBER ALBERTI: Okay, so I don't
9	know where I got the 40 from. I don't know
10	why.
11	MS. TRONG: It's about 1900 square
12	feet and it has a basement.
13	MEMBER ALBERTI: 1900 square feet
14	and what?
15	MS. TRONG: A basement.
16	MEMBER ALBERTI: and a basement,
17	okay.
18	MS. TRONG: I have a little minor
19	schematic drawing.
20	MEMBER ALBERTI: That's okay right
21	now, we'll look and see if somebody wants that
22	later. So just in general, I know you just

applied, but I mean you know, as a good business person you don't enter this -- enter into this with some sort of extent long -- short term/long term plan.

So when do you expect to start this transition to moving things upstairs and thinking about what you're going to do with that space for the restaurant? I know you have a business plan here, but that doesn't always translate into actual physical construction.

MS. TRONG: Well I'm hoping that it will be a smooth process.

MEMBER ALBERTI: That's the hard part.

MS. TRONG: Yes. I'm hoping that it will be a smooth process. Because again, it's DCRA you got to deal with the permits, and then you've got to deal with the architectural design and the historic, so it could take a year, it could take two years. It really -- I've got a --

	Page 14
1	MEMBER ALBERTI: But when would
2	you start that process?
3	MS. TRONG: In about six months if
4	my architect can get things ready. And then
5	the turn around maybe in two. One or two.
6	MEMBER ALBERTI: In this, okay
7	MS. TRONG: I mean the building is
8	so old we have to do new waste line and
9	electrical and a lot of things, but it needs
10	upgrade.
11	MEMBER ALBERTI: Okay.
12	MR. KLINE: If I may, your current
13	renovation has taken about
14	MS. TRONG: It's taken about a
15	year.
16	MR. KLINE: It's taken about a
17	year.
18	MEMBER ALBERTI: Yes, I know, I'm
19	aware of how long it takes. But I'm more
20	interested in the start date.
21	MS. TRONG: Oh the starting date,
22	yes.

	Page 15
1	MEMBER ALBERTI: Yes, so you know.
2	I mean I can judge from the size of the place
3	in your plans how long it might take for it to
4	come to fruition. Okay I have no further
5	questions right now.
6	CHAIRPERSON MILLER: I just want
7	to is your name Mr. Annand? What's your
8	name?
9	Ms. TRONG: Mori.
10	MR. MORI: Munehizo Mori.
11	CHAIRPERSON MILLER: Mori.
12	MR. MORI: Yes.
13	CHAIRPERSON MILLER: All right.
14	So are you the chef on the Florida Avenue one?
15	MR. MORI: Yes.
16	CHAIRPERSON MILLER: Oh, okay, so
17	you're not necessarily going to be the chef
18	for this restaurant.
19	MR. MORI: Actually I will.
20	CHAIRPERSON MILLER: You will, the
21	plan is to move over when the new restaurant
22	opens?

	Page 16
1	MR. MORI: Yes, I will do two
2	taking care of two restaurants.
3	MR. KLINE: The idea is that he
4	would be executive chef and then plan the menu
5	and that's generally the way these things
6	work. And then you bring in the line cooks
7	and the other people that actually execute the
8	menu that he designs and creates.
9	CHAIRPERSON MILLER: Okay. So did
LO	you design the menu that's in this plan?
L1	MR. MORI: Yes.
L2	CHAIRPERSON MILLER: It looks
L3	good, yes. Okay. Other questions? We may
L 4	have questions more after they explain the
L5	business plan. Mr. Brooks?
L6	MEMBER BROOKS: Yes, just one
L7	quick question.
L8	CHAIRPERSON MILLER: Okay.
L9	MEMBER BROOKS: Ms. Trong you
20	indicated that you're opening a business at
21	639 Florida Avenue, NW?
22	MS. TRONG: Yes sir.

	Page 17
1	MEMBER BROOKS: Is that correct.
2	And who is the landlord for that property?
3	MS. TRONG: It's 637 and 639, LLC
4	is their enterprise, that's the name of the
5	landlord, the company.
6	MEMBER BROOKS: Okay, so you don't
7	have a name of a specific landlord.
8	MR. KLINE: Amir Yarushami is the
9	principal of the landlord.
10	MEMBER BROOKS: Of the landlord,
11	okay. Okay, thank you.
12	MEMBER ALBERTI: For 639?
13	MR. KLINE: Florida Avenue.
14	MEMBER ALBERTI: Okay. And who is
15	the landlord for Wisconsin Avenue?
16	MS. TRONG: It's the same.
17	MR. KLINE: The same.
18	MEMBER ALBERTI: The same person?
19	Okay, fair enough.
20	MR. KLINE: Mr. Yarushami sees a
21	successful business person and
22	MEMBER ALBERTI: Well I was going

Page 18 1 to sort of ask that in a moment. Told you. So what's -- I mean so which --2 3 MS. TRONG: You know what to say. MEMBER ALBERTI: So which -- I 4 don't know how to ask this, so I'm just going 5 to ask straight up. So what's you sort of 6 relationship with Mr. Yarushami? I mean --7 MS. TRONG: 8 There's no relationship. 9 10 MEMBER ALBERTI: It's not usual 11 that someone like rents properties from the same person. You know people have a tough 12 13 time finding properties. And all of a sudden you've found two properties with the same 14 15 person. 16 MS. TRONG: You know what, I'll 17 give you an honest answer. I used to be at a different location. And it was a whole in the 18 rock, a hole in the wall. And it was in 19 20 Georgetown, 1300 block of Wisconsin. 21 And I was going through a divorce with three kids, and I had a child that had 22

	Page 19
1	cystic fibrosis. So everyday I worked, I'd
2	take my kids, whatever. And he saw I guess,
3	he wanted to give me an opportunity, so.
4	MEMBER ALBERTI: So so what
5	business, you were running a business there?
6	What kind?
7	MS. TRONG: I was running a
8	business, yes. I was working home with a day
9	spa.
LO	MEMBER ALBERTI: I mean how did he
L1	discover you, was he the landlord there?
L2	MS. TRONG: No he was just
L3	managing the building at that time.
L 4	MEMBER ALBERTI: Okay.
L5	MS. TRONG: He was just the
L6	manager of the building. And he just saw me
L7	and he said hey, I've got a building and you'd
L8	be a great tenant.
L9	MEMBER ALBERTI: And so he thought
20	you'd because of your skills you'd be a
21	great person to partner with obviously.
22	MS. TRONG: Not necessarily. He

Page 20 1 knows I take care of the building. And you know I'll be successful. And just in terms of 2 3 a great tenant. I pay my bills and got to do what to get --4 MEMBER ALBERTI: Certainly. 5 Okay, so other than being a landlord, does he have 6 any financial interest in the new businesses? 7 8 MS. TRONG: No, none. 9 MEMBER ALBERTI: Okay. 10 MS. TRONG: Not even 110 percent of it. 11 12 MEMBER ALBERTI: Okay. I mean 13 yes, all right. 14 MS. TRONG: Yes. 15 If I may, I'm going to MR. KLINE: 16 respectfully disagree with the conclusion that 17 this is unusual. In my experience it's quite usual. If a landlord has a positive 18 experience with a tenant, they're happy to 19 replicate them in another location. 20 example that comes to mind right now is in the 21 Lansburgh Building Jaleo is there. 22 And

	Page 21
1	they're happy to see Think Food open another
2	concept called Culcano that's opening in that
3	building.
4	And I've seen it also across the
5	street where Oyamel is. I mean it's pretty
6	common for landlords if they have someone
7	who's been a good tenant, they're happy to put
8	them in another building.
9	MEMBER ALBERTI: Okay. I'll take
LO	that since you're an expert in that.
L1	MS. TRONG: He's even better.
L2	MEMBER ALBERTI: No, I know, I
L3	know.
L 4	MR. KLINE: It's pretty typical I
L5	think.
L6	MEMBER ALBERTI: I'll stand
L7	corrected, thank you.
L8	CHAIRPERSON MILLER: Any other
L9	questions?
20	MEMBER ALBERTI: No.
21	CHAIRPERSON MILLER: Okay, do you
22	want to tell us a little bit more about your

business plan? I mean we've looked at this,

it looks very impressive, but if you want to

just give an overview, that would be great.

MS. TRONG: Basically I mean I love Georgetown. I've been there 22 years and I would like to contribute more to the community. I have established a great friendship with the neighborhood there.

So I just want to explore my entrepreneur and just give more and you know, grow. And be successful. That's about it.

I mean I love to share it with the neighborhood.

MR. KLINE: I'm going to add to that. When as the Board knows, there was a wave in the sort of a line up for these new licenses. And Ms. Trong tells me that she received word from many of her customers who happened to see her on the TV piece that oh my God, what are you doing, you're opening a restaurant? This is terrific.

And these are people that live

within the Georgetown community. She's well
know there given her day spa that's there.

And many of them have reached out to her just
by seeing her on the little TV piece that ran
concerning the licenses that were available.

CHAIRPERSON MILLER: That's great.

Let me just ask you one more time. I don't

think you have a history of being successful

in businesses. Did you say whether you'd run

restaurants before, or these are your first?

CHAIRPERSON MILLER: You did? Oh, that's right.

MS. TRONG: No, I did run before.

MS. TRONG: Yes.

CHAIRPERSON MILLER: On K Street.

Okay, okay. So you didn't just like out of

the blue decided to open two new restaurants

without restaurant experience. Okay.

MS. TRONG: You know what, I'll tell you something. I was a commercial fisherman at 13. So for me to jump into so many, it -- I can do anything I feel like

MS. TRONG: Yes sir.

22

	Page 25
1	MEMBER RODRIGUEZ: Two of them.
2	And is your financing company your partners?
3	MS. TRONG: No, I have no
4	partners.
5	MEMBER RODRIGUEZ: No partners?
6	MS. TRONG: This Ching is all me.
7	My blood and my sweat and everything. So this
8	next one is the same. I have no partners.
9	MEMBER RODRIGUEZ:
10	Congratulations.
11	MS. TRONG: Thank you.
12	CHAIRPERSON MILLER: Okay, so I
13	think you said that you thought that this
14	might take a year or two, and you weren't sure
15	how long basically, until you would be able to
16	actually open a restaurant there. Is that
17	what you said?
18	MS. TRONG: I would say yes. And
19	I'll give a year or two, depending on how the
20	architectural with the historic, and I mean I
21	it took me just nine months just to deal
22	with Florida Avenue.

	Page 26
1	CHAIRPERSON MILLER: Are you going
2	to be making changes that would require a
3	historic preservation review or anything like
4	that?
5	MS. TRONG: No, if anything it
6	will be just upgrades and just mechanical
7	stuff like electrical, plumbing, all those
8	things. The buildings are so old, it needs to
9	be structured and you know, new support.
10	CHAIRPERSON MILLER: And have you
11	started on this yet?
12	MS. TRONG: There in that
13	building, yes, I have start little by little,
14	and just with the salon I had my own
15	electrical meter. And I have one of my own,
16	and we started some plumbing and stuff, so
17	yes.
18	CHAIRPERSON MILLER: Okay. Other
19	questions?
20	MEMBER ALBERTI: What is your
21	how large is the Florida Avenue space?
22	MS. TRONG: It's 3200 square feet.

Page 27 1 We're saying two floors and a rooftop, so. It's -- it seems big, but it's really narrow. 2 It's only 14 feet and a half wide, but it's 75 3 feet long. But then I've got all these egress 4 stairs in there for exit and entrance. And by 5 the time I'm done I'll -- I've got this much 6 7 space, so. MEMBER ALBERTI: And your -- and 8 9 your rent there, what are you paying your rent 10 there a year? 11 MS. TRONG: My rent there? It's \$5,000.00. 12 13 MEMBER ALBERTI: A month? MS. TRONG: A month. 14 15 MEMBER ALBERTI: Okay. 16 MEMBER RODRIGUEZ: In Georgetown, 17 \$5,000. \$5,000.00? MS. TRONG: Yes sir, \$5,000.00. 18 MEMBER ALBERTI: On Florida 19 20 Avenue? 21 MS. TRONG: On Florida. MR. KLINE: On Florida Avenue 22

	Page 28
1	MEMBER RODRIGUEZ: Okay, now I
2	not in Georgetown. Yes, okay.
3	MS. TRONG: Yes, and it's only
4	\$5,000.00 for until December, because the
5	landlord itself, he has to compensate me for
6	putting in the HVAC, the hood and some of the
7	things in mechanical. So that is everything.
8	MEMBER ALBERTI: But does it go up
9	after that?
10	MS. TRONG: I'm sorry?
11	MEMBER ALBERTI: Does it go up
12	after that?
13	MS. TRONG: It every year, yes.
14	After that it will be \$6,000.00. Originally
15	it's \$6,000.00.
16	MEMBER ALBERTI: For Florida
17	Avenue?
18	Ms. TRONG: Yes.
19	MEMBER ALBERTI: Okay. Yes, I see
20	no escalation in your rent. I mean I do
21	you have a lease for the Wisconsin Avenue?
22	And how long is that lease?

	Page 29
1	MS. TRONG: That lease is I
2	can't remember this. I want to say seven with
3	a seven extension.
4	MEMBER ALBERTI: Okay.
5	MS. TRONG: And my rent started at
6	\$5,000.00.
7	MEMBER ALBERTI: Okay. You have a
8	projection of \$6,000.00 in your business plan,
9	but yes.
10	MS. TRONG: Yes. It's like three
11	percent every year.
12	MEMBER ALBERTI: Three percent
13	every year?
14	MS. TRONG: Um-hum.
15	MEMBER ALBERTI: Escalation in the
16	rent?
17	MS. TRONG: Escalation, yes.
18	MEMBER ALBERTI: Part of my asking
19	is you are entering into a big challenge with
20	two places all at once. And I'm trying to get
21	a sense of viability.
22	MEMBER RODRIGUEZ: On your revenue

Page 30 1 forecast, it seems like it's going to hold steady about \$125,000. Between \$125,000 and 2 \$145,000. Is that -- is that revenue forecast 3 for both restaurants, or? 4 MS. TRONG: No, sir, this is just 5 for So Me itself. 6 MEMBER RODRIGUEZ: What's that? 7 8 MS. TRONG: This is just for So This is just for Georgetown. 9 Me. 10 MR. KLINE: So me is the projected 11 trade name of the Georgetown location. MEMBER RODRIGUEZ: Oh, okay. All 12 13 right. MR. KLINE: So this business plan 14 relates to this proposed Georgetown location, 15 16 which is going to be call So Me. 17 MEMBER RODRIGUEZ: All right. 18 I see a pretty steady revenue projection, monthly revenue projection there. Is there --19 20 is there a reason for that steady projection 21 you know? 22 MS. TRONG: Because where it's

Page 31 1 located, you have so many opportunities between there's hotels, there's the students, 2 3 there's the tourists, so you --MEMBER RODRIGUEZ: I'm having a 4 hard time hearing you. 5 MS. TRONG: Oh, I was just saying 6 it's --7 MEMBER RODRIGUEZ: You have nice 8 voice, it's not that, it's probably me. 9 10 MS. TRONG: Well being in 11 Georgetown, it's exposed to so many markets. There are the colleges, and then there are the 12 13 residents. And then there is the tourist. And then you have people that are coming in to 14 this, just nightlife. So it balances itself. 15 16 I think probably the slowest month 17 I would say Georgetown would be probably February would be the slowest month. And I 18 think it's just weather related really. 19 20 far as the other months, the 20 years that I've been there, it's -- my business itself is 21 22 steady. For the last four years with the

Page 32 1 economy, I've never had a decrease in income or anything. 2 So there's a lot of potential 3 there so, I can see the projection in that. 4 MEMBER RODRIGUEZ: Okay. I don't 5 6 have any more questions. CHAIRPERSON MILLER: 7 Are you the sole owner of the other restaurant as well? 8 9 MS. TRONG: Yes. 10 CHAIRPERSON MILLER: Okay. 11 MS. TRONG: Also the salon. CHAIRPERSON MILLER: And also the 12 13 salon, okay. All right, any other questions? Okay. Sounds good. 14 We have been asking people to 15 update us within six months as to what's 16 17 happening with the license. In your case it may just be that you're moving along your one 18 to two year plan. 19 Are the Board members interested 20 21 in seeking the same information from this

I'm

applicant? Oh this is not a safekeeping.

22

Page 33 1 sorry, this is a new application. I'm sorry, it's been a long day. 2 3 MR. KLINE: We've got to get black hearted. 4 CHAIRPERSON MILLER: Never mind, 5 Never mind. It sounded so much like a 6 safekeeping cases, you know when are we going 7 8 to come out, what are we going to do with 9 them, and it's going to take a year. 10 Okay, all right, so scratch that. 11 MR. KLINE: and then so and obviously just so let me step in because this 12 13 is what I do. 14 CHAIRPERSON MILLER: Okay. MR. KLINE: As part of her 15 16 projections and time line, on the front end, 17 we've got to get through the license process. Now given her concept, even though it's 18 Georgetown, I don't think we're going to have 19 20 any problem. But I mean there's still the 21 statutory marketing period, and I'm going to have to deal with Mr. Starles and others over 22

1 there.

Leave it at that. So any time line should be tempered with that expectation. So you know, I know she's anxious to get marketed and move forward.

CHAIRPERSON MILLER: Okay.

MEMBER RODRIGUEZ: So one more question Madam Chairperson.

CHAIRPERSON MILLER: Okay.

member Rodriguez: So on your projected, the monthly financials, you're pretty confident here. I'm impressed with that. So is that a result of customers that you've had in the past? That you know what kind of marketing research did you do to ascertain, or at least make those kinds of very excellent projections? Those are very excellent projections.

MS. TRONG: Well a key in service is just quality and excellent service. And those things you can't you know, it's just you can't lose with that.

I mean my salon is the same concept. Quality and the contact with people. And the quantity. And just in general. You know, I've been successful in many things, so.

marketing plan then, you have a marketing plan. This is a business plan. But your marketing plan then does it take into account the you know, the flows, the customer flows, and what are your stronger stuff? From your research, when do you anticipate the largest, the best customer flow into your business?

MS. TRONG: I assume immediately.

MEMBER RODRIGUEZ: Immediately?

MS. TRONG: Immediately. I have my clients who have already parade, and I showed them a menu to five very difficult people in Georgetown. They already is like, Cammy I would eat everything that's on this list. I'm with you.

So that's enough confidence for me to know that my client's fit the neighborhood.

	Page 36
1	So that's enough, just to go out there and ask
2	people on the one on one.
3	MEMBER RODRIGUEZ: Well that's a
4	very confident and you know, outlook, and
5	that's I wish you well on that.
6	MS. TRONG: Thank you.
7	CHAIRPERSON MILLER: I just want
8	to ask you, I think we're wrapping it up. How
9	many clients do you have, do you know?
10	MS. TRONG: In my salon?
11	CHAIRPERSON MILLER: Um-hum.
12	MS. TRONG: I have 6,000. I see
13	70 people a day.
14	CHAIRPERSON MILLER: Um-hum.
15	MS. TRONG: I'm a machine.
16	CHAIRPERSON MILLER: Yes, okay.
17	So that's a base to begin with.
18	MS. TRONG: Yes. And you can
19	google me. I'm all over. I guess
20	Georgetown's historic landmark now.
21	CHAIRPERSON MILLER: Okay, that
22	sounds great, all right. Anything else?

MEMBER ALBERTI: No, I would suggest that she anticipate coming to see us about six months after the license is approved to see where you're going at that point.

Because it will be prudent and it will be issued at some point in the future.

But I assume this you know, the protest period if there is one. You know, whatever. At the end of the placing period, we'll be working with the license for approval at that point. And but the license won't issue immediately.

So I mean given that you've got to do build out and you can't go to CFO until you do that, so you'll be in 405 status. I think that somewhere in the first six months of that status we should sort of take a check and see what you've done.

MR. KLINE: I'm here every Wednesday, so.

MEMBER ALBERTI: Basically we're
doing everything for everyone else.

Page 38 1 MR. KLINE: I'm not sure why it's necessary, I'm here almost every Wednesday, so 2 3 it doesn't matter to me, but. I mean I just question why it's necessary. 4 MEMBER ALBERTI: We've done that -5 - we've done that with almost every license 6 we've had today, that we. 7 8 CHAIRPERSON MILLER: No, that's what I'm saying, this isn't safekeeping 9 10 license. That's what we've been doing with 11 the safekeeping licensees. MEMBER ALBERTI: We also did that 12 13 with a 405 licenses. 14 CHAIRPERSON MILLER: Okay. this is a new application. 15 16 MEMBER ALBERTI: And I'm saying 17 that once this goes into 405 state, it's into that sort of place where the license is 18 approved, but it hasn't been issued. Six 19 20 months --21 CHAIRPERSON MILLER: I see. 22 MEMBER ALBERTI: After being in

1 that state, we do a check.

2 CHAIRPERSON MILLER: Okay.

3 MR. KLINE: As I said, I'm here

4 every Wednesday, so.

5 MEMBER ALBERTI: I understand

6 that.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER ALBERTI: But this is

9 really -- I mean the starting point of that

10 six months is different then our previous

11 cases. But it's no different once you get to

12 that starting point.

13 MR. KLINE: I guess my only

14 concern is I mean we get into the issue is

15 what's the standard? I mean we're sort of in

16 an area where we don't have any rules or

17 regulations. If she's applied for a license

and she's been issued, then I don't really

19 know what we're looking at. But I'll leave

20 that to you. I mean I'll defer your word.

21 | MEMBER ALBERTI: Well you know Mr.

22 Kline what I'm looking at is if there's been

no progress, if the nail salon's still there, and there's no progress to move the nail salon, it means there's really no place to put this license, I'm going to start to question whether there's an intent to use the license.

And it's not any reflection on this business owner here. It's just that we have many owners in Georgetown who's licenses are -- have never opened, and we have to look at that. And this hopefully -- you know, I'm hoping that this owner is not one of those.

But you know, as soon as that license is ready to go, she's assured that she can get a license, she'll start moving in the direction of making this operable.

You can thank other people in the industry for making me have -- making me want to take such a close look. But there are people who have never made any moves to make their license operable.

MR. KLINE: I'll defer to the Board. It's the Board's calendar.

	Page 41
1	CHAIRPERSON MILLER: Okay. Do we
2	need to decide that now?
3	MEMBER ALBERTI: Why not, we did
4	it with all the other cases.
5	CHAIRPERSON MILLER: Because they
6	were different.
7	MEMBER ALBERTI: I don't see
8	it's a different, it
9	CHAIRPERSON MILLER: This hasn't
10	languished at all. They don't even have a
11	license yet. It hasn't languished.
12	MEMBER ALBERTI: And that's what
13	I'm saying, it's going to be it's going to
14	become it's going to go into 405. We know
15	that. We know there's a point where, I mean
16	we know there's a point where the license will
17	be approved, and it won't be open. And it
18	won't have issued because they won't have
19	done, they won't have a CFO. We know that.
20	CHAIRPERSON MILLER: Okay.
21	MEMBER ALBERTI: Because the build
22	out has to happen. I mean it's not going to

happen overnight. And I'm saying, and I'm willing to bet that's going to be longer than six months. Because I don't think she can get this build out and up and operable in six months from the time that she finishes the licensing process to get approved.

So I would say six months from that point we come in for a check to see are you making progress. That's all I'm saying.

It's no different then the other cases. So the study of the treatment then, then we apply it to the other licensees.

MR. KLINE: Mr. Alberti my only concern is the Board has license applications all over the city. And to create a special rule for Georgetown that hasn't been vetted, it's -- there's no notice to the public. Six months, and I think you've pointed it out yourself, in the scheme of developing a restaurant, is nothing.

So I mean I would suggest that if you want to do a check, that it be later than

Page 43 1 that number one. And number two, the Board can always bring us in. If the Board suspects 2 or believes that nothing's happening with 3 respect to this application, we're under the 4 jurisdiction of the Board. 5 The Board can command us as they 6 did a week ago from seven different cases. 7 8 MEMBER ALBERTI: Absolutely. 9 MR. KLINE: Asked us to come in. 10 So I don't want -- it seems to me six months 11 is too soon. And given everything that's been discussed at this point, but I don't feel 12 13 strongly about it. I mean I just don't see it's an 14 issue. I have a qualified operator. She's 15 16 bonafide, she intends to move forward. I'll 17 defer to the Board. MEMBER ALBERTI: Why is six months 18 too soon Mr. Kline? What will we see in six 19 20 months? 21 MR. KLINE: You may see nothing in

six months because if there's any historic

22

							Pa	age	44
review,	that's	going	to h	ave	to k	oe d	lone.	The)
archited	ct's goi	ing to	have	to	draw	v up	plan	s.	

I mean all of these things take time. But --

MEMBER ALBERTI: So at the end of six months, I could expect to see architectural plans, I could see applications to HBRB, I could see applications to DCRA, and all of that would tell me that yes, I have an owner who really is going forward.

But if at the end of six months I see no applications in DCRA, and no evidence that they've made plans to do that, then that's something different. And that's the distinction I'm looking for at the end of six months Mr. Kline.

So just to put you -- and I want everybody to understand, I want everyone to know that the Board is expecting. And that's why I'm saying it.

MR. KLINE: If you want everyone to know what the Board is expecting, promulgate a rule and everyone will know what

the Board is expecting. That's my objection to this process.

MEMBER ALBERTI: All right.

MR. KLINE: I have no objection with respect to this licensee on this issue.

My objection is that it's the end of a long day of you and me. I've come here three times today.

But my objection is we seem to not have a set of rules. We're all called in for these fact findings. We get summoned a week ago to come in for a fact finding, we didn't even know exactly what we're doing here. We kind of have to guess.

And it would just be a lot more transparent, and a lot fairer to licensees if they knew what to expect. Which is why we have when we bring it, a big thick book of rules and a statute. Which is to say oh, we're going to do it this way this time. And this is what we're going to do.

I'm sorry the lawyer in my has to

	Page 40
1	regale against that and object and say give us
2	statuses. Promulgate a rule. Tell us what
3	you expect of us. In these cases I don't
4	know.
5	MEMBER ALBERTI: Ms. Miller. I've
6	made my comments, I'd like to hear from my
7	fellow Board members, get their sense, and I
8	will leave it up to the majority of the Board.
9	CHAIRPERSON MILLER: Okay. I
10	would like to recommend that we take this
11	under advisement. But go ahead Mr. Short.
12	MEMBER SHORT: Yes, I'd like to
13	take a look at those drawings if it's okay.
14	MS. TRONG: Sure. And I'll give
15	you pictures of what I'm renovating.
16	MEMBER SHORT: Is that the drawing
17	going to show you where the duct system. No,
18	I was asking the young lady. Are the drawings
19	also going to show you where the duct systems
20	and the
21	MS. TRONG: No sir. This is just
22	like a what would they call it, a design.

	Page 47
1	MEMBER SHORT: A build out?
2	MR. KLINE: Preliminary layout.
3	These are photos of the existing runs on
4	Florida Avenue, you know in terms of the
_	
5	proceeding.
6	MEMBER SHORT: 649 Florida?
7	Ms. TRONG: 639.
8	MEMBER SHORT: 639 Florida, okay.
9	MEMBER ALBERTI: Do we want to go
10	in the back and talk about this?
11	CHAIRPERSON MILLER: I haven't
12	heard from anybody else, I just
13	MEMBER SILVERSTEIN: Sure.
14	MEMBER ALBERTI: All right let's
15	do that. Let's do that, let's recess.
16	CHAIRPERSON MILLER: All right,
17	I'm going to recess. Okay, I hope not to
18	delay you much longer, but there's been a
19	request to confer briefly in closed session
20	and confer with our counsel.
21	Chairperson of the Alcoholic
22	Beverage Control Board for the District of

	Page 48
1	Columbia, in accordance with Section 405 of
2	the Open Meetings Amendment Act of 2010, I
3	move that the ABC Board hold a closed meeting
4	for the purpose of seeking legal advice around
5	counsel on Case Number Fact Finding Hearing
6	So Me, located at 1425 Wisconsin Avenue, NW.
7	Per Section 405 of the Open Meetings Amendment
8	Act of 2010, and possibly deliberating on that
9	one question for the reasons cited in Section
10	405b(14) of the Open Meetings Amendment Act of
11	2010.
12	Is there a second?
13	MEMBER SILVERSTEIN: Second.
14	CHAIRPERSON MILLER: Mr.
15	Silverstein seconded the Motion. I'll now
16	take a roll call vote. Mr. Brooks?
17	MEMBER BROOKS: I agree.
18	CHAIRPERSON MILLER: Mr. Alberti?
19	MEMBER ALBERTI: I agree.
20	CHAIRPERSON MILLER: Mr.
21	Rodriguez?
22	MEMBER RODRIGUEZ: I agree.

	Page 49
1	CHAIRPERSON MILLER: Ms. Miller
2	agrees. Mr. Silverstein?
3	MEMBER SILVERSTEIN: I agree
4	CHAIRPERSON MILLER: Okay, that's
5	five, zero, zero vote, so Motion passes. And
6	I give notice that the ABC Board will recess
7	briefly to hold a closed meeting in the ABC
8	Board conference room pursuant to the Open
9	Meetings Amendment Act of 2010 and we will
10	return shortly.
11	(Whereupon, the foregoing matter
12	went off the record at 5:39 p.m.
13	and went back on the record at
14	6:00 p.m.)
15	CHAIRPERSON MILLER: Okay, we're
16	back from our closed meeting. And we were
17	discussing there the topic of your reporting
18	back at a certain time as to the progress of
19	your efforts to open the restaurant, okay. So
20	and I think I'll just start and then if anyone
21	wants to correct me, please do.
22	Okay, so it's the consensus of the

	Page 50
1	Board that we are going to approve placarding,
2	and so that's going to go forward right away.
3	And the Board would like some indication of
4	progress and I'll let other speak to that
5	further if they want.
6	I believe it's six months after
7	the application is in 405 status. So it's not
8	six months from now. It's probably eight
9	months from now. And
LO	MEMBER ALBERTI: I don't know how
L1	long it is from now, but it's
L2	CHAIRPERSON MILLER: Okay, I'm
L3	just giving them a general.
L 4	MEMBER ALBERTI: I think Mr. Kline
L5	can maybe address that with his client. He
L6	may have a different expectations.
L7	MR. KLINE: Yes, I mean it's you
L8	know, it's two to six months to making a full
L9	
20	CHAIRPERSON MILLER: Right, what
21	happens to it.
22	MEMBER ALBERTI: Just to clarify,

it's -- we'd like you to come in and speak to us and show us some progress. You know, have you even hired an architect yet to do the drawings? I mean I'd like to know. I mean hopefully you've gotten further than that in six months.

And it's six months from the date that the application is approve, all right.

Now in your case, given all of the information you've tole me, there's going to be a period of time between when the application is approved and when it's issued.

The application will not be issued until you have the certificate of occupancy.

That means that construction is done, and you know, you're pretty close to opening at that point. DCRA's done all it's inspections, the build outs done.

I anticipate that's going to be quite a long period of time in your case, given all you've told me. So it's during that period, we want to bring you in and see you

know, what progress you've made.

After six months if we see lots of progress, I don't know, we probably won't call you in again. After six months we don't see much progress, well then the conversation will be different.

But we want some assurance that you are making a valid and bonafide effort to put this place into operations. Now again, this is no reflection on you, but we have had other operators who have been in your position and never really moved towards operation. And so I have to now -- and because this isn't a moratorium, I feel that at least I as a Board member think that we need to take a look at all of these cases.

CHAIRPERSON MILLER: I also suggest that what we've done with the other cases today is just that you submit, if you want to submit something in writing ahead of time, and then we can decide whether or not we actually need to have a fact finding hearing

Page 53 1 to have you here or not, you know you can do that. 2 3 All right. Mr. Rodriguez? MEMBER RODRIGUEZ: I was very 4 pleased with your business plan. 5 MS. TRONG: 12 hours. It took me 6 12 hours. 7 8 MEMBER RODRIGUEZ: It's very well 9 done. And I want to make sure that -- our 10 concern is that we want to make sure that your 11 business is up and running and that the license is being used. Once that happens, the 12 13 base of this business plan, I expect to be going to your restaurant and dining there and 14 enjoying it, because it looks like you have 15 16 some very good projections here. 17 I would of course like to see you 18 also appeal to the international marketing I notice that you are marketing to the 19 side. 20 Washington area, but your restaurant is

international, and a lot of the tour companies

and international visitors would probably want

21

22

Page 54 1 to visit your restaurant. MS. TRONG: Oh, we would love 2 that. We would like to incorporate into it. 3 MEMBER RODRIGUEZ: As a former 4 director of international businesses in the 5 6 city, I can assure you that that is a recommendation that has a little bit of 7 8 experience. 9 CHAIRPERSON MILLER: We won't hold 10 it against you if you don't do it. 11 MEMBER SHORT: Madam Chair. CHAIRPERSON MILLER: Yes, Mr. 12 13 Short. MEMBER SHORT: And one last thing, 14 I hope you are very successful too. But I'd 15 16 just like to ask a question. I see you have 17 82 seats in the restaurant. 82 seats? MS. TRONG: Yes sir. That was 18 just a rough drawing. I was playing with the 19 20 architect. And he -- I'd say somewhere around the square footage of 1800, fitted in between 21 50 to 80. 22

	Page 55
1	MEMBER SHORT: Well I'll just say
2	this, if it's over 50 seats, I think the code
3	would require you to have a second exit.
4	MS. TRONG: Yes, I know that.
5	MEMBER SHORT: You can't exit
6	through the kitchen.
7	MS. TRONG: I learned a lot from
8	the change, trust me upstairs.
9	MEMBER SHORT: Do you want this
10	back?
11	MS. TRONG: Yes.
12	CHAIRPERSON MILLER: And the
13	business plans, right. I think I left them
14	back there. I think, Jonathan do you have one
15	or two?
16	MEMBER RODRIGUEZ: There's two,
17	there were two out here somewhere.
18	MEMBER ALBERTI: I would like to
19	thank you for coming prepared. It was
20	excellent information. We don't always get
21	that, so I thank you for coming prepared.
22	MR. KLINE: Thank you for coming

	Page 56
1	prepared.
2	MS. TRONG: Well it makes me feel
3	really good.
4	MEMBER SHORT: It appears you're
5	on the right track.
6	Ms. TRONG: Thank you.
7	CHAIRPERSON MILLER: Okay. I
8	think that concludes this hearing. Okay,
9	thank you very much. The very best of luck.
10	MS. TRONG: Thank you, I just want
11	to say thank you.
12	[Whereupon, at 6:06 p.m., the fact
13	finding new license hearing was adjourned]
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22	

<u> </u>	38:5,12,16,22	Asked 43:9	40:22 42:14 43:1	Cammy 2:14,19
A \$125,000 30:2,2	39:5,8,21 41:3,7	asking 29:18 32:15	43:2,5,6,17 44:18	35:19
	41:12,21 42:13	46:18	44:21 45:1 46:7,8	Capitol 1:14
\$145,000 30:3	43:8,18 44:4 45:3	assume 35:13 37:7	47:22 48:3 49:6,8	care 16:2 20:1
\$ 5,000 27:17	46:5 47:9,14	assurance 52:7	50:1,3 52:14	Carribean 8:5
\$5,000.00 27:12,17	48:18,19 50:10,14	assure 54:6	Board's 40:22	case 2:4 32:17 48:5
27:18 28:4 29:6	50:22 55:18	assured 40:13	bonafide 43:16	51:9,20
\$6,000.00 28:14,15	Alcoholic 1:3,16	available 4:15 23:5	52:8	cases 33:7 39:11
29:8	47:21	Avenue 1:8 2:6	book 45:18	41:4 42:10 43:7
ABC 3:18 48:3	Amendment 48:2,7	3:19 9:4 15:14	Breeze 5:7,12,14,15	46:3 52:16,19
49:6,7	48:10 49:9	16:21 17:13,15	7:14	certain 49:18
able 25:15	American 6:5	25:22 26:21 27:20	briefly 47:19 49:7	Certainly 20:5
above-entitled 1:15	Amir 17:8	27:22 28:17,21	bring 3:3 16:6 43:2	certificate 51:14
Absolutely 43:8	ANC 1:10 2:7	47:4 48:6	45:18 51:22	CFO 37:14 41:19
account 35:8	Andrew 2:12	aware 14:19	Brooks 1:19 16:15	Chair 54:11
Act 48:2,8,10 49:9	Annand 15:7		16:16,19 17:1,6	Chairperson 1:19
actual 13:10	answer 18:17	В	17:10 48:16,17	2:3,18 3:1,4,7,15
add 22:14 address 50:15	anticipate 35:11	back 5:7 47:10	build 10:3 37:14	4:9,13,16,20 5:2
	37:2 51:19	49:13,16,18 55:10	41:21 42:4 47:1	5:16,20 6:2 7:6,12
adjourned 56:13 Administration 1:3	anxious 34:4	55:14	51:18	15:6,11,13,16,20
1:16	anybody 47:12	background 5:22	building 3:10 9:19	16:9,12,18 21:18
advice 48:4	appeal 53:18	balances 31:15	11:9 14:7 19:13	21:21 23:6,12,15
advice 48:4 advisement 46:11	appears 56:4	Bar 8:20	19:16,17 20:1,22	24:2,11,16 25:12
afternoon 2:11	applicant 2:13	base 36:17 53:13	21:3,8 26:13	26:1,10,18 32:7
ago 43:7 45:12	32:22	basement 12:12,15	buildings 26:8	32:10,12 33:5,14
agree 48:17,19,22	application 1:8 2:8	12:16	business 3:21,22	34:6,8,9 36:7,11
49:3	3:18 33:1 38:15	basically 22:4	4:3 6:7,18 7:8	36:14,16,21 38:8
agrees 49:2	43:4 50:7 51:8,11	25:15 37:21	9:15 10:21 11:2	38:14,21 39:2,7
ahead 46:11 52:20	51:13	behalf 2:12	11:17,21 13:2,9	41:1,5,9,20 46:9
Albert 7:18,19	applications 42:14	believe 50:6	16:15,20 17:21	47:11,16,21 48:14
Alberti 1:20 7:10	44:6,7,11	believes 43:3	19:5,5,8 22:1 24:8	48:18,20 49:1,4
7:13,16 8:6,9,12	applied 13:1 39:17	best 35:12 56:9	24:10,12,14,19	49:15 50:12,20
8:16,21 9:2,6,9,14	apply 42:11	bet 42:2	29:8 30:14 31:21	52:17 54:9,12
9:17,21 10:2,9,12	approval 37:10	better 21:11	35:7,12 40:7 53:5	55:12 56:7
10:15,18 11:16,20	approve 50:1 51:8	Beverage 1:3,16	53:11,13 55:13	challenge 29:19
12:1,4,8,13,16,20	approved 3:18 9:3	47:22	businesses 6:19 7:1	change 55:8
13:14 14:1,6,11	11:10 37:3 38:19	big 27:2 29:19	7:4 20:7 23:9	changes 26:2
14:18 15:1 17:12	41:17 42:6 51:12	45:18	54:5	check 37:17 39:1
17:14,18,22 18:4	architect 14:4 51:3	bills 20:3		42:8,22
18:10 19:4,10,14	54:20	bit 5:22 21:22 54:7	<u> </u>	chef 3:3,4 15:14,17
19:19 20:5,9,12	architect's 44:2	black 33:3	C 2:1	16:4
21:9,12,16,20	architectural 13:20	block 5:8,12 18:20	calendar 40:22	chief 2:22
26:20 27:8,13,15	25:20 44:6	blood 25:7	call 30:16 46:22	child 18:22
27:19 28:8,11,16	architecture 11:14	blue 23:17	48:16 52:3	Ching 1:7 2:4 3:10
28:19 29:4,7,12	area 39:16 53:20	Board 1:3,17 4:7,7	called 5:7,12 8:4	9:8 25:6
29:15,18 37:1,21	ascertain 34:16	7:7 22:15 32:20	9:12 21:2 45:10	Church 8:4
,, .				

cited 48:9	36:4	decide 41:2 52:21	E	extent 13:3
city 42:15 54:6	confusing 9:16	decided 23:17	E 2:1,1	
clarify 50:22	Congratulations	decrease 32:1	eat 35:19	<u>F</u>
Class 1:9	25:10	defer 39:20 40:21	economy 32:1	fact 1:7 2:4 45:11
client 50:15	consensus 49:22	43:17	effort 52:8	45:12 48:5 52:22
client's 35:22	consider 11:1	delay 47:18	efforts 49:19	56:12
clients 35:16 36:9	construction 13:11	deliberating 48:8	egress 27:4	fair 17:19
close 40:18 51:16	51:15	depending 25:19	eight 50:8	fairer 45:16
closed 5:19 47:19	consummate 6:5	describe 7:2	electrical 14:9 26:7	Falls 8:4
48:3 49:7,16	contact 35:2	design 13:20 16:10	26:15	familiar 11:8
closing 11:2	contribute 22:6	46:22	enjoying 53:15	family 24:9,10
co-owner 8:10	Control 47:22	designs 16:8	enter 13:2,2	far 31:20
Coast 9:1	convened 1:15	develop 6:13	entering 29:19	February 31:18
code 55:2	conversation 52:5	developing 42:19	entering 25.15 enterprise 17:4	feel 23:22 43:12
colleges 31:12	cooks 16:6	Diaz 7:19	entrance 27:5	52:14 56:2
Columbia 1:1,16	copy 4:18	different 6:11	entrepreneur 6:6	feet 12:12,13 26:22
48:1	correct 3:5 9:4 17:1	18:18 39:10,11	7:3 22:10	27:3,4
come 15:4 33:8	49:21	41:6,8 42:10 43:7	escalation 28:20	fellow 46:7
42:8 43:9 45:7,12	corrected 21:17	44:13 50:16 52:6	29:15,17	fibrosis 19:1
51:1	counsel 47:20 48:5	difficult 35:17	established 22:7	figure 3:2
comes 20:21	course 53:17	dining 53:14	evening 2:12	financial 20:7
coming 4:17 10:6	CR 1:9	direction 40:15	everybody 44:17	financials 34:11
31:14 37:2 55:19	create 42:15	director 54:5	everyday 19:1	financing 24:19,20
55:21,22	creates 16:8	disagree 20:16	everyuay 19.1 evidence 44:11	25:2
command 43:6	Culcano 21:2	discover 19:11	exactly 45:13	finding 1:7 2:4
comments 46:6	current 10:21 11:2	discussed 43:12	exactly 43.13 example 20:21	18:13 45:12 48:5
commercial 23:20	14:12	discussing 49:17	example 20:21 excellent 34:17,18	52:22 56:13
common 21:6	customer 35:9,12	distinction 44:14		findings 45:11
community 22:7	customers 22:18	District 1:1,16	34:20 55:20	fine 4:19
23:1	34:13	47:22	execute 16:7	finishes 42:5
companies 53:21	cystic 19:1	divorce 18:21	executive 3:3 16:4	first 5:4,6,6 7:9
company 2:21 17:5		doing 6:15 9:15	existing 47:3	11:6,21 23:10
25:2		22:20 37:22 38:10	exit 27:5 55:3,5	37:16
compensate 28:5	D 2:1	45:13	expect 13:5 44:5	fisherman 23:21
complete 10:3	D.C 1:14	DONALD 1:19	45:17 46:3 53:13	fit 35:22
concept 4:11 21:2	date 14:20,21 51:7	downstairs 11:8,13	expectation 34:3	fitted 54:21
33:18 35:2	day 6:6,9,14 19:8	draw 44:2	expectations 50:16	five 8:15 35:17 49::
concern 39:14	23:2 33:2 36:13	drawing 12:19	expecting 44:18,21	floor 6:14,17 11:21
42:14 53:10	45:7	46:16 54:19	45:1	floors 27:1
concerning 23:5	DC 8:22		experience 5:5	Florida 3:11,19 9:4
	DCRA 13:18 44:7	drawings 46:13,18	20:17,19 23:18	15:14 16:21 17:13
concludes 56:8 conclusion 20:16	44:11	51:4	54:8	25:22 26:21 27:1
	DCRA's 51:17	dream 24:9	expert 21:10	27:21,22 28:16
confer 47:19,20	deal 13:18,19 25:21	drywall 10:5	explain 16:14	47:4,6,8
conference 49:8	33:22	duct 46:17,19 due 3:12	explore 22:9	flow 35:12
confidence 25.01		LOHE STEE	Lownord 21,11	11011 33.14
confidence 35:21 confident 34:12	December 28:4	duc 3.12	exposed 31:11 extension 29:3	flows 35:9,9

-		l		l
Food 21:1	God 22:20	hearing 1:7,13 2:4	interested 14:20	knew 45:17
footage 54:21	goes 38:17	31:5 48:5 52:22	32:20	know 3:13 5:3 12:9
forecast 30:1,3	going 7:20 9:12,12	56:8,13	international 53:18	12:9,22 13:1,8
foregoing 49:11	13:7 15:17 17:22	hearted 33:4	53:21,22 54:5	14:18 15:1 18:3,5
former 54:4	18:5,21 20:15	HECTOR 1:20	introduce 2:10 4:5	18:12,16 20:2
forward 34:5 43:16	22:14 24:12,13,20	hey 19:17	invest 7:21	21:12,13 22:10
44:9 50:2	26:1 30:1,16 33:7	hired 51:3	issue 37:12 39:14	23:2,19 24:3,9,14
found 18:14	33:8,9,19,21 37:4	historic 13:20	43:15 45:5	26:9 30:21 33:7
four 31:22	40:4 41:13,13,14	25:20 26:3 36:20	issued 37:6 38:19	34:4,4,14,21 35:4
friendship 22:8	41:22 42:2 44:1,2	43:22	39:18 41:18 51:12	35:9,22 36:4,9
front 33:16	44:9 45:20,21	history 23:8	51:13	37:7,8 39:19,21
fruition 15:4	46:17,19 47:17	hold 30:1 48:3 49:7		40:10,12 41:14,15
full 50:18	50:1,2 51:10,19	54:9	J	41:16,19 44:18,21
furnished 10:3	53:14	hole 18:19	Jaleo 20:22	44:22 45:13 46:4
furniture 10:7	good 2:11 7:6 13:1	home 19:8	JAMES 1:21	47:4 50:10,18
further 15:4 50:5	16:13 21:7 32:14	honest 18:17	Jonathan 55:14	51:2,4,16 52:1,3
51:5	53:16 56:3	hood 28:6	judge 15:2	53:1 55:4
future 37:6	google 36:19	hope 47:17 54:15	jump 23:21	knows 7:3 20:1
	gotten 51:5	hopefully 40:10	jumping 3:17	22:15
G	GOVERNMENT	51:5	June 3:12 9:22 10:1	
G 2:1	1:1	hoping 3:14 13:12	10:12,15,17,19	L
general 12:22 35:3	great 6:3 19:18,21	13:16 40:11	jurisdiction 43:5	lady 46:18
50:13	20:3 22:3,7 23:6	hotels 31:2		landlord 17:2,5,7,9
generally 16:5	36:22	hours 53:6,7	K	17:10,15 19:11
gentleman 7:18 8:7	Grill 8:5	HVAC 28:6	K 5:8,12 7:16 23:15	20:6,18 28:5
Georgetown 11:4	grow 22:11		keep 7:22	landlords 21:6
18:20 22:5 23:1	guess 7:10 19:2	<u> </u>	key 34:19	landmark 36:20
27:16 28:2 30:9	36:19 39:13 45:14	IChing 9:13,16	kids 18:22 19:2	languished 41:10
30:11,15 31:11,17		idea 6:12 16:3	24:6,6	41:11
33:19 35:18 40:8	H	immediately 35:13	kind 19:6 24:15	Lansburgh 20:22
42:16	half 27:3	35:14,15 37:12	34:15 45:14	large 12:1 26:21
Georgetown's	happen 41:22 42:1	impressed 34:12	kinds 34:16	largest 35:11
36:20	happened 22:19	impressive 22:2	kitchen 55:6	lawyer 45:22
getting 3:20 10:8	happening 32:17	including 4:4	Kline 2:11,12 3:16	layout 47:2
11:12,13	43:3	income 32:1	4:10,14,18,22	learned 55:7
give 5:21 18:17	happens 50:21	incorporate 54:3	5:14,21 6:4,17,22	lease 6:8 28:21,22
19:3 22:3,10	53:12	indicated 16:20	12:6 14:12,16	29:1
25:19 46:1,14	happy 4:6 20:19	indication 50:3	16:3 17:8,13,17	leave 4:5 34:2
49:6	21:1,7	industry 40:17	17:20 20:15 21:14	39:19 46:8
given 23:2 33:18	hard 7:21 13:14	information 4:3	22:14 27:22 30:10	left 55:13
37:13 43:11 51:9	31:5	32:21 51:9 55:20	30:14 33:3,11,15	legal 48:4
51:21	Havana 5:7,12,14	inspections 51:17	37:19 38:1 39:3	legitimate 4:11,11
giving 50:13	5:15 7:14	intends 3:22 43:16	39:13,22 40:21	let's 47:14,15,15
go 28:8,11 36:1	HBRB 44:7	intent 40:5	42:13 43:9,19,21	license 1:10 2:6 3:5
37:14 40:13 41:14	hear 7:8 46:6	intentions 24:9	44:15,20 45:4	9:3 32:17 33:17
46:11 47:9 50:2	heard 47:12	interest 20:7	47:2 50:14,17	37:3,10,11 38:6
+0.11 47.7 30.2	11Ca1 U 4/.12	111ter est 20.7	55:22	37.3,10,11 30.0
			1	

,		Ì		
38:10,18 39:17	M	18:4,10 19:4,10	50:12,20 52:17	named 3:10
40:4,5,13,14,20	ma'am 5:6	19:14,19 20:5,9	54:9,12 55:12	narrow 27:2
41:11,16 42:14	machine 36:15	20:12 21:9,12,16	56:7	necessarily 15:17
53:12 56:13	Madam 34:8 54:11	21:20 24:18 25:1	mind 20:21 33:5,6	19:22
licensee 45:5	maintain 6:18	25:5,9 26:20 27:8	minor 12:18	necessary 7:5 38:2
licensees 38:11	majority 46:8	27:13,15,16,19	misread 12:5	38:4
42:12 45:16	making 26:2 40:15	28:1,8,11,16,19	modest 6:1	need 4:19 41:2
licenses 3:8 22:17	40:17,17 42:9	29:4,7,12,15,18	moment 18:1	52:15,22
23:5 38:13 40:8	50:18 52:8	29:22 30:7,12,17	money 8:2	needs 14:9 26:8
licensing 42:6	manage 24:14	31:4,8 32:5 34:7	month 27:13,14	neighborhood 22:8
Lima 8:20	manager 19:16	34:10 35:5,14	31:16,18	22:13 35:22
line 11:1 14:8 16:6	managing 19:13	36:3 37:1,21 38:5	monthly 30:19	never 32:1 33:5,6
22:16 33:16 34:3	marketed 34:5	38:12,16,22 39:5	34:11	40:9,19 52:12
list 35:20	marketing 33:21	39:8,21 41:3,7,12	months 11:11,15	new 1:8 2:7 14:8
little 5:10,22 9:16	34:15 35:6,6,8	41:21 43:8,18	14:3 25:21 31:20	15:21 20:7 22:16
12:18 21:22 23:4	53:18,19	44:4 45:3 46:5,12	32:16 37:3,16	23:17 26:9 33:1
26:13,13 54:7	markets 31:11	46:16 47:1,6,8,9	38:20 39:10 42:3	38:15 56:13
live 22:22	matter 1:6,15 38:3	47:13,14 48:13,17	42:5,7,18 43:10	nice 31:8
LLC 1:7 2:4 3:11	49:11	48:19,22 49:3	43:18,20,22 44:5	NICK 1:20
9:8 17:3	mean 7:3 10:4 13:1	50:10,14,22 52:15	44:10,15 50:6,8,9	nightlife 31:15
locate 8:20	14:7 15:2 18:2,7	53:4,8 54:4,11,14	50:18 51:6,7 52:2	nine 25:21
located 2:5 3:11 5:8	19:10 20:12 21:5	55:1,5,9,16,18	52:4	North 1:14
5:11 31:1 48:6	22:1,4,12 25:20	56:4	moratorium 52:14	note 4:2
location 3:14,19	28:20 33:20 35:1	members 7:7 32:20	Mori 2:16,17,21	nothing's 43:3
4:1 6:8,9 18:18	37:13 38:3 39:9	46:7	15:9,10,10,11,12	notice 42:17 49:6
20:20 30:11,15	39:14,15,20 41:15	menu 16:4,8,10	15:15,19 16:1,11	53:19
long 9:19 13:3	41:22 42:21 43:14	35:17	Motion 48:15 49:5	number 2:6 6:7
14:19 15:3 25:15	44:3 50:17 51:4,4	meter 26:15	move 6:14 11:6,17	43:1,1 48:5
27:4 28:22 33:2	means 40:3 51:15	Mi 1:7	15:21 34:5 40:2	NW 1:8 2:6 16:21
45:6 50:11 51:20	mechanical 26:6	MIKE 1:21	43:16 48:3	48:6
longer 42:2 47:18	28:7	Miller 1:19 2:3,18	moved 11:8 52:12	0
look 12:21 40:9,18	meeting 48:3 49:7	3:1,4,7,15 4:9,13	moves 40:19	$\overline{\mathbf{O}}$ 2:1
46:13 52:15	49:16	4:16,20 5:2,16,20	moving 11:11 13:6	object 46:1
looked 22:1	Meetings 48:2,7,10	6:2 7:6,12 15:6,11	32:18 40:14	objection 45:1,4,6
looking 6:10 39:19	49:9	15:13,16,20 16:9	Munehizo 2:16	45:9
39:22 44:14	member 1:19,20,20	16:12,18 21:18,21	15:10	obviously 19:21
looks 16:12 22:2	1:21,21 5:9 7:10	23:6,12,15 24:2	N	33:12
53:15	7:13,16 8:6,9,12	24:11,16 25:12	$\frac{\mathbf{N}}{\mathbf{N}}$ 2:1	occupancy 12:7
lose 34:22	8:16,21 9:2,6,9,14	26:1,10,18 32:7	N.E 1:14	51:14
lot 11:5 14:9 32:3	9:17,21 10:2,9,12	32:10,12 33:5,14	N/A 1:10	occupy 11:21
45:15,16 53:21	10:15,18 11:16,20	34:6,9 36:7,11,14	nail 40:1,2	oh 3:1,9 4:20 9:11
55:7	12:1,4,8,13,16,20	36:16,21 38:8,14	name 2:14,16 7:18	14:21 15:16 22:19
lots 52:2	13:14 14:1,6,11	38:21 39:2,7 41:1	7:19 9:7,10,11	23:12 30:12 31:6
love 22:5,12 54:2	14:18 15:1 16:16	41:5,9,20 46:5,9	15:7,8 17:4,7	32:22 45:19 54:2
luck 56:9	16:19 17:1,6,10	47:11,16 48:14,18	30:11	okay 2:7 3:1,7,15
	17:12,14,18,22	48:20 49:1,1,4,15	50.11	Jimy 2.1 J.1,1,13
		<u> </u>		l

4.0.12.5.20.6.2		12.40.15.21.16.4	24.17.19.52.16	
4:9,13 5:20 6:3	overview 22:3	13:4,9 15:21 16:4	34:17,18 53:16	recommend 46:10
7:6 8:9,16,21 9:2	owned 7:14,20	16:10,15 22:1	promulgate 44:22	recommendation
9:14,17,21 10:9	owner 2:21 32:8	24:20 29:8 30:14	46:2	54:7
10:18 11:20 12:8	40:7,11 44:9	32:19 35:6,7,7,8	properties 18:11,13	record 2:10 3:16
12:17,20 14:6,11	owners 40:8	53:5,13	18:14	4:6 49:12,13
15:4,16 16:9,13	owns 8:3	planning 11:6	property 17:2	reflecting 3:22
16:18 17:6,11,11	Oyamel 21:5	plans 4:12 15:3	proposed 30:15	reflection 40:6
17:14,19 19:14	P	44:2,6,12 55:13	proprietary 4:3	52:10
20:5,9,12 21:9,21		playing 54:19	protest 37:8	regale 46:1
23:16,16,18 24:2	P 2:1	please 5:10 49:21	prudent 37:5	Regulation 1:3,16
24:16 25:12 26:18	p.m 1:16 2:2 49:12	pleased 53:5	public 4:6 42:17	regulations 39:17
27:15 28:1,2,19	49:14 56:12	plumbing 26:7,16	purpose 48:4	related 31:19
29:4,7 30:12 32:5	parade 35:16	point 37:4,6,11	pursuant 49:8	relates 30:15
32:10,13,14 33:10	part 4:6 13:15	39:9,12 41:15,16	push 24:15,15	relationship 18:7,9
33:14 34:6,9	29:18 33:15	42:8 43:12 51:17	put 21:7 24:21 40:3	remember 7:19
36:16,21 38:14	partner 8:17 19:21	pointed 42:18	44:16 52:9	29:2
39:2,7 41:1,20	partners 8:7,10,13	position 52:11	putting 28:6	renovated 9:20
46:9,13 47:8,17	25:2,4,5,8	positive 20:18		renovating 46:15
49:4,15,19,22	passes 49:5	possibly 48:8	0	renovation 14:13
50:12 56:7,8	pay 20:3	potential 32:3	qualified 43:15	renovations 10:11
old 14:8 26:8	paying 27:9	potentially 10:16	quality 34:20 35:2	rent 27:9,9,11
once 3:5 29:20	people 16:7 18:12	Preliminary 47:2	quantity 35:3	28:20 29:5,16
38:17 39:11 53:12	22:22 31:14 32:15	prepared 55:19,21	question 16:17	rents 6:9 18:11
open 3:12 4:12	35:2,18 36:2,13	56:1	24:19 34:8 38:4	replicate 20:20
10:16 21:1 23:17	40:16,19	preservation 26:3	40:4 48:9 54:16	reporting 49:17
25:16 41:17 48:2	percent 20:10	pretty 21:5,14	questions 7:7,11	request 47:19
48:7,10 49:8,19	29:11,12	30:18 34:12 51:16	15:5 16:13,14	require 26:2 55:3
opened 40:9	period 33:21 37:8,9	previous 39:10	21:19 24:17 26:19	research 34:15
opening 9:22 16:20	51:10,20,22	previously 7:13	32:6,13	35:11
21:2 22:20 51:16	permits 13:18	principal 17:9	quick 16:17	residents 31:13
opens 15:22	person 13:2 17:18	probably 6:1 7:4	quite 20:17 51:20	respect 3:19 43:4
operable 40:15,20	17:21 18:12,15	10:7 31:9,16,17		45:5
42:4	19:21	50:8 52:3 53:22	$\frac{\mathbf{R}}{\mathbf{R}}$	respectfully 20:16
operating 5:17	peruse 4:7	problem 33:20	R 2:1	restaurant 3:10
operation 52:12	photos 47:3	proceeding 47:5	ran 23:4	4:12 6:13 7:20
operations 52:9	physical 13:10	process 3:13 10:6	reached 23:3	9:10 11:3 13:8
operator 43:15	pictures 10:11	13:13,17 14:2	ready 2:9 11:12	15:18,21 22:21
operators 52:11	46:15	33:17 42:6 45:2	14:4 40:13	23:18 25:16 32:8
opportunities 31:1	piece 22:19 23:4	progress 40:1,2	really 13:22 27:2	42:20 49:19 53:14
opportunity 19:3	placarding 50:1	42:9 49:18 50:4	31:19 39:9,18	53:20 54:1,17
opposed 24:4	place 8:3,4 10:21	51:2 52:1,3,5	40:3 44:9 52:12	restaurants 5:4
Originally 28:14	15:2 38:18 40:3	projected 12:7	56:3	16:2 23:10,17
out's 10:3	52:9	30:10 34:11	reason 30:20	24:21 30:4
outlook 36:4	places 29:20	projection 4:4 29:8	reasons 48:9	result 34:13
outs 51:18	placing 37:9	30:18,19,20 32:4	received 22:18	Ret 1:9
overnight 42:1	plan 3:22 4:3 7:9	projections 33:16	recess 47:15,17	return 49:10
			49:6	
	•	•	•	•

revenue 29:22 30:3 30:18,19 satisfy 4:8 satisfy 4:8 satisfy 4:8 saw 19:2,16 say 19:2,1	21,21 20:1 4 33:9 7 40:18 0,13 15 3,14,16
review 26:3 44:1 saw 19:2,16 47:13 48:13,15 40:14 49:20 take 4:18 7 right 2:19 3:8,17 saying 27:1 31:6 49:2,3 40:14 49:20 take 4:18 7 4:17 8:19,22 38:9,16 41:13 49:2,3 started 26:11,16 15:3 19:2 15:13 20:13,21 schematic 12:19 schematic 12:19 scheme 42:19 scheme 42:19 starting 14:21 39:9 35:8 37:1 23:13 24:21 30:13 scheme 42:19 scheme 42:19 scheme 42:19 six 11:11,14 14:3 39:12 44:3 46:1 48:16 52: 21:9 25:1 35:8 37:1 36:22 45:3 47:14 seats 12:2,2,3,6 54:17,17 55:2 38:19 39:10 42:3 status 37:15,17 take 14:18 48:16 52: 48:16 52: taken 14:1 48:16 52:	21,21 20:1 4 33:9 7 40:18 0,13 15 3,14,16
right 2:19 3:8,17 saying 27:1 31:6 49:2,3 40:14 49:20 started 26:11,16 11:14 13:5:3 19:2 11:16 12:20 15:5 42:1,9 44:19 27:18 30:5 46:21 29:5 21:9 25:1 15:13 20:13,21 schematic 12:19 scheme 42:19 six 11:11,14 14:3 39:12 44:3 46:1 30:17 32:13 33:10 scratch 33:10 32:16 37:3,16 38:19 39:10 42:3 state 38:17 39:1 48:16 52: 47:16 50:2,20 54:17,17 55:2 42:4,7,17 43:10 50:7 taken 14:1 56:5 6:17 48:12,13 43:18,19,22 44:5 50:18 51:6,7 52:2 statute 45:19 take 14:19 rising 6:9 55:3 50:18 51:6,7 52:2 statute 45:19 talk 47:10 Rodriguez 1:20 Section 48:1,7,9 see 5:1 12:2,4,21 size 15:2 statutory 33:21 tells 22:17 24:17,18 25:1,5,9 22:11 22:19 28:19 slowest 31:16,18 story 6:5 20:19 23:1 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 strategy 24:20 term 12:4 48:22 53:3,4,8 43:19,21 44:5,6,7 44:11 51:22 52:2 son 10:6 40:12 21:5 23:15 <td>21,21 20:1 4 33:9 7 40:18 0,13 15 3,14,16</td>	21,21 20:1 4 33:9 7 40:18 0,13 15 3,14,16
4:17 8:19,22 38:9,16 41:13 sir 9:5 16:22 24:22 started 26:11,16 15:3 19:2 11:16 12:20 15:5 42:1,9 44:19 54:18 29:5 21:9 25:1 15:13 20:13,21 schematic 12:19 scheme 42:19 six 11:11,14 14:3 39:12 35:8 37:1 30:17 32:13 33:10 scratch 33:10 32:16 37:3,16 status 37:15,17 44:3 46:1 48:16 52: 56:22 45:3 47:14 54:17,17 55:2 42:4,7,17 43:10 50:7 status 37:15,17 48:16 52: 56:5 6:17 48:12,13 55:3 50:18 51:6,7 52:2 statute 45:19 talk 47:10 tell 21:22 2 44:8 46:2 statute 45:19 talk 47:10 tell 21:22 2 44:8 46:2 statute 45:19 statute 45:1	20:1 4 33:9 7 40:18 0,13 15 3,14,16
11:16 12:20 15:5 42:1,9 44:19 27:18 30:5 46:21 29:5 32:19 25:1 15:13 20:13,21 schematic 12:19 scheme 42:19 39:12 35:8 37:1 23:13 24:21 30:13 scratch 33:10 scratch 33:10 32:16 37:3,16 state 38:17 39:1 44:3 46:1 36:22 45:3 47:14 seats 12:2,2,3,6 38:19 39:10 42:3 status 37:15,17 48:16 52: 47:16 50:2,20 54:17,17 55:2 42:4,7,17 43:10 50:7 taken 14:1 56:5 6:17 48:12,13 44:10,14 50:6,8 statute 45:19 talk 47:10 56:5 55:3 50:18 51:6,7 52:2 statutory 33:21 tell 21:22 2 7 rock 18:19 sec onded 48:1,7,9 size 15:2 statutory 33:21 tell 21:22 2 24:17,18 25:1,5,9 see 5:1 12:2,4,21 sills 19:20 step 33:12 tenant 19:1 27:16 28:1 29:22 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21: 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 termice 22: 52:4 53:17 54:16 52:4 53:17 54:16<	4 33:9 7 40:18 0,13 15 3,14,16
15:13 20:13,21 schematic 12:19 scheme 42:19 scheme 42:19 scheme 42:19 scratch 33:10 30:17 32:13 33:10 scratch 33:10 scats 12:2,2,3,6 38:19 39:10 42:3 status 37:15,17 taken 14:1 47:16 50:2,20 54:17,17 55:2 second 3:13 6:14 43:18,19,22 44:5 status 37:15,17 taken 14:1 56:5 status 37:15,17 taken 14:1 56:5 status 37:15,17 taken 14:1 56:5 status 37:15,17 taken 14:1 50:6,8 status 37:15,17 taken 14:1 50:7 status 37:15,17 status 37:15,17 taken 14:1 50:7 status 37:15,17 status 37	7 40:18 0,13 15 3,14,16
23:13 24:21 30:13 scheme 42:19 six 11:11,14 14:3 39:12 state 38:17 39:1 44:3 46:1	0,13 15 3,14,16
30:17 32:13 33:10	15 3,14,16
36:22 45:3 47:14 seats 12:2,2,3,6 38:19 39:10 42:3 status 37:15,17 taken 14:11 47:16 50:2,20 54:17,17 55:2 42:4,7,17 43:10 50:7 taken 14:12 51:8 53:3 55:13 second 3:13 6:14 43:18,19,22 44:5 statuses 46:2 talk 47:10 56:5 6:17 48:12,13 44:10,14 50:6,8 statute 45:19 tell 21:22 2 rising 6:9 55:3 50:18 51:6,7 52:2 statutory 33:21 tells 22:17 Rodriguez 1:20 Section 48:1,7,9 size 15:2 steady 30:2,18,20 tells 22:17 24:17,18 25:1,5,9 see 5:1 12:2,4,21 slowest 31:16,18 story 6:5 20:19 21: 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 term/long 48:22 53:3,4,8 43:19,21 44:5,6,7 soon 10:6 40:12 21:5 23:15 termic 22: 52:4 53:17 54:16 52:4 53:17 54:16 sorry 3:9 9:16 structured 26:9 55:19,21.	3,14,16
47:16 50:2,20 54:17,17 55:2 42:4,7,17 43:10 50:7 takes 14:19 56:5 6:17 48:12,13 43:18,19,22 44:5 statuses 46:2 talk 47:10 rising 6:9 55:3 50:18 51:6,7 52:2 statute 45:19 tell 21:22 2 rock 18:19 seconded 48:15 52:4 steady 30:2,18,20 tells 22:17 Rodriguez 1:20 see 5:1 12:2,4,21 size 15:2 step 33:12 tenant 19:1 24:17,18 25:1,5,9 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21: 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terms 20:2 52:4 53:17 54:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: roftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
51:8 53:3 55:13 second 3:13 6:14 43:18,19,22 44:5 statuses 46:2 talk 47:10 56:5 6:17 48:12,13 44:10,14 50:6,8 statute 45:19 tell 21:22 2 rising 6:9 55:3 50:18 51:6,7 52:2 statutory 33:21 44:8 46:2 rock 18:19 seconded 48:15 52:4 steady 30:2,18,20 tells 22:17 Rodriguez 1:20 sec 5:1 12:2,4,21 size 15:2 31:22 tempered 3 24:17,18 25:1,5,9 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21: 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 termic 20:2 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
56:5 6:17 48:12,13 44:10,14 50:6,8 statute 45:19 tell 21:22 2 rock 18:19 seconded 48:15 50:18 51:6,7 52:2 statutory 33:21 tell 21:22 2 Rodriguez 1:20 Section 48:1,7,9 size 15:2 steady 30:2,18,20 tells 22:17 24:17,18 25:1,5,9 see 5:1 12:2,4,21 size 15:2 step 33:12 tenant 19:1 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terms 20:2 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
rising 6:9 55:3 50:18 51:6,7 52:2 statutory 33:21 44:8 46:2 rock 18:19 Section 48:1,7,9 size 15:2 steady 30:2,18,20 tells 22:17 Rodriguez 1:20 Section 48:1,7,9 size 15:2 step 33:12 tempered 3:12:2 24:17,18 25:1,5,9 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21: 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 termic 20:2 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	3.20
rock 18:19 seconded 48:15 52:4 steady 30:2,18,20 tells 22:17 24:17,18 25:1,5,9 see 5:1 12:2,4,21 skills 19:20 step 33:12 tenant 19:1 27:16 28:1 29:22 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21:1 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terrific 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
Rodriguez 1:20 Section 48:1,7,9 size 15:2 31:22 tempered 3 24:17,18 25:1,5,9 27:16 28:1 29:22 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21: 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terrific 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
24:17,18 25:1,5,9 see 5:1 12:2,4,21 skills 19:20 step 33:12 tenant 19:1 27:16 28:1 29:22 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21:1 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terrific 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36:5 rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	34.3
27:16 28:1 29:22 21:1 22:19 28:19 slowest 31:16,18 story 6:5 20:19 21:1 22:19 28:19 30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terrific 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
30:7,12,17 31:4,8 30:18 32:4 36:12 smooth 13:13,17 straight 18:6 term 13:4 32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 termic 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
32:5 34:7,10 35:5 37:2,4,17 38:21 sold 5:18 8:3 strategy 24:20 term/long 35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terrific 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	,
35:14 36:3 48:21 41:7 42:8 43:14 sole 2:20 32:8 street 1:14 5:8 7:16 terms 20:2 48:22 53:3,4,8 43:19,21 44:5,6,7 somebody 12:21 21:5 23:15 terrific 22: 54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	13:4
48:22 53:3,4,8 54:4 55:16 roll 48:16 rooftop 27:1 43:19,21 44:5,6,7 44:11 51:22 52:2 52:4 53:17 54:16 seeing 23:4 43:19,21 44:5,6,7 44:11 51:22 52:2 52:4 53:17 54:16 seeing 23:4 43:11,19 strongly 43:13 structured 26:9 43:11,19 structured 26:9 55:19,21	
54:4 55:16 44:11 51:22 52:2 soon 10:6 40:12 stronger 35:10 thank 17:1 roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36:5:19,21. rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
roll 48:16 52:4 53:17 54:16 43:11,19 strongly 43:13 25:11 36: rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
rooftop 27:1 seeing 23:4 sorry 3:9 9:16 structured 26:9 55:19,21.	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
room 1:13 49:8 seeking 32:21 48:4 10:14 28:10 33:1 students 31:2 56:9,10,1	
rooms 11:12 seen 5:1 21:4 33:1 45:22 study 42:11 thanks 9:14	
Rosale 4:17 sees 17:20 sort 13:3 18:1,6 stuff 10:8 26:7,16 thick 45:18	
rough 54:19 sell 7:4 22:16 37:17 38:18 35:10 thing 54:14	
rule 42:16 44:22 sense 29:21 46:7 39:15 submit 52:19,20 things 4:4	11:14
46:2 service 34:19,20 sorts 4:4 success 6:5 24:6 13:6 14:4	,9 16:5
rules 39:16 45:10 session 47:19 sounded 33:6 successful 17:21 26:8 28:7	34:21
45:19 set 45:10 sounds 32:14 36:22 20:2 22:11 23:8 35:4 44:3	
run 7:3 23:9,11 seven 11:7 29:2,3 spa 6:6,9,14 11:17 35:4 54:15 think 8:19	
running 6:19 7:1 43:7 19:9 23:2 sudden 18:13 23:8 25:1	3 31:16
19:5,7 24:1 53:11 share 22:12 24:5 space 6:13 13:8 suggest 37:2 42:21 31:19 33:	19 36:8
runs 47:3 she'll 40:14 26:21 27:7 52:18 37:15 42:	,
RUTHANNE 1:19 short 1:21 13:4 speak 5:10 50:4 summoned 45:11 49:20 50:	14 52:15
24:18 46:11,12,16 51:1 support 26:9 55:2,13,1	
47.1,0,6 34.11,13 special 42.13 suit 4.10 7.12 thinking 13	
safekaaning 20:22 seefakaaning 20:22 thought 19	
22.7 28.0 11	:19
salon 26:14 22:11 1	
22:12 25:1 26:10 31:00 21:17 5tan 27:12 29:10,12	18:22
40.2 Stand 21.10 System 10.17 Inursday	- 18:22 45:7
40:3 showed 35:17 standard 39:15 systems 46:19 tile's 10:6	- 18:22 45:7
	- 18:22 45:7

,	•	-	•	
time 7:21 9:19	28:18 29:1,5,10	$\overline{\mathbf{w}}$	wrapping 36:8	2B 2:7
10:22 18:13 19:13	29:14,17 30:5,8	wall 18:19	writing 52:20	2E 1:10
23:7 27:6 31:5	30:22 31:6,10	want 4:5 5:3 7:8		
33:16 34:2 42:5	32:9,11 34:19	15:6 21:22 22:2,9	X	3
44:3 45:20 49:18	35:13,15 36:6,10	24:3,5 29:2 36:7	<u> </u>	3200 26:22
51:11,20 52:21	36:12,15,18 46:14	40:17 42:22 43:10		
times 45:7	46:21 47:7 53:6	44:16,17,20 47:9	Yarushami 17:8,20	4 5000
today 3:21 38:7	54:2,18 55:4,7,11	50:5 51:22 52:7	18:7	4:59 2:2
45:8 52:19	56:2,6,10	52:20 53:9,10,22	year 13:21 14:15	40 12:2,3,9
told 18:1 51:21	trust 55:8	55:9 56:10	14:17 25:14,19	405 37:15 38:13,17
tole 51:10	try 7:22	wanted 19:3	27:10 28:13 29:11	41:14 48:1,7 50:7
topic 49:17	trying 10:22 11:13	wants 12:21 49:21	29:13 32:19 33:9	405b(14) 48:10
total 12:6	29:20	Washington 1:14	years 6:7,20,22	5
tough 18:12	turn 14:5	53:20	8:15 11:7 13:21	
tour 53:21	TV 22:19 23:4	waste 14:8	22:5 31:20,22	5:00 1:16
tourist 31:13	two 13:21 14:5,5	waste 14.6 wave 22:16	young 46:18	5:39 49:12
tourists 31:3	16:1,2 18:14	way 7:2 16:5 45:20	\overline{z}	50 54:22 55:2
track 56:5	23:17 24:3,6,21	we'll 10:7 12:21		58 12:6
trade 9:7,12 24:8	25:1,14,19 27:1	37:10	zero 49:5,5	6
30:11	29:20 32:19 43:1	we're 3:12,14,17	0	6,000 36:12
trading 2:5	50:18 55:15,16,17	4:6 9:11 10:6		6:00 49:14
transition 10:20	typical 21:14	11:11 27:1 33:19	1	6:06 56:12
11:3 13:6		36:8 37:21 39:15	110 20:10	637 17:3
translate 13:10	U	39:19 43:4 45:10	12 53:6,7	639 3:11 9:4 16:21
transparent 45:16	Um-hum 3:6 9:9	45:13,20,21 49:15	13 23:21	17:3,12 47:7,8
treatment 42:11	29:14 36:11,14	we've 22:1 33:3,17	1300 18:20	649 47:6
Trong 2:14,15,19	understand 39:5	38:5,6,7,10 52:18	14 27:3	049 47.0
2:20 3:2,6,9,20	44:17	weather 31:19	1400 5:8,12	7
5:5,9,11,15,18,22	unusual 20:17	Wednesday 37:20	1425 1:8 2:5 48:6	70 36:13
6:16,21 7:15,17	update 32:16	38:2 39:4	15 1:12	7100 1:13
8:8,11,14,18,22	upgrade 14:10	week 10:7 43:7	1800 54:21	75 27:3
9:5,8,11,15,18	upgrades 26:6	45:11	1900 12:11,13	
10:1,5,10,14,17	upstairs 11:6,7,12	went 49:12,13		8
11:5,18,22 12:3	11:17,18,19 13:6	weren't 8:10 25:14	2	80 54:22
12:11,15,18 13:12	55:8	wide 27:3	20 6:19,22 31:20	82 54:17,17
13:16 14:3,7,14	use 40:5	widgets 7:4	2000 8:18	
14:21 15:9 16:19	usual 18:10 20:18	willing 42:2	20002 1:14	9
16:22 17:3,16		Wisconsin 1:8 2:5	2001 5:7,13	941 1:14
18:3,8,16 19:7,12	V	17:15 18:20 28:21	2002 5:19 8:19	99 12:7
19:15,22 20:8,10	vacant 9:19	48:6	2003 5:19	
20:14 21:11 22:4	valid 52:8	wish 36:5	2010 48:2,8,11 49:9	
22:17 23:11,14,19	vetted 42:16	wonderful 24:6	2014 1:12	
24:5,13,22 25:3,6	viability 29:21	word 22:18 39:20	22 22:5	
25:11,18 26:5,12	visit 54:1	work 10:20 16:6	23 24:7	
26:22 27:11,14,18	visitors 53:22	work 10.20 10.0 worked 19:1	25 24:7	
27:21 28:3,10,13	voice 31:9	worked 19:1 working 19:8 37:10	26 3:12 10:1,17	
	vote 48:16 49:5	working 17.0 37.10	,	
	1		1	1